

ORDINANCE NO. 18250-09-2008

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, CODIFIED AS APPENDIX "A" OF THE CODE OF THE CITY OF FORT WORTH (1986), BY AMENDING CHAPTER 4, "DISTRICT REGULATIONS", SECTION 4.908, "TRINITY UPTOWN ("TU") DISTRICT" AND SECTION 4.1201, "TRINITY UPTOWN DISTRICT" TO REPLACE ALL REFERENCES TO THE DOWNTOWN DESIGN REVIEW BOARD WITH THE URBAN DESIGN COMMISSION TO DENOTE THE TRANSFER OF ENFORCEMENT AUTHORITY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted Ordinance No. 17273 on November 7, 2006, establishing the Trinity Uptown District and adopting design standards applicable to certain development projects in the downtown area; and

WHEREAS, the City Council adopted Ordinance No. 17274 on November 7, 2006, requiring Certificate of Appropriateness for Trinity Uptown to be heard by the Downtown Design Review Board; and

WHEREAS, authority to enforce the Trinity Uptown Standards and Guidelines and approval of Certificates of Appropriateness will be transferred from the Downtown Design Review Board to the Urban Design Commission by Ordinance No. 18249-09-2008 adopted on September 2, 2008; and

WHEREAS, the transfer of authority necessitates an amendment to Section 4.908 and 4.1201 of the Zoning Ordinance to replace all references to the Downtown Design Review Board with the Urban Design Commission.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF FORT WORTH, TEXAS AS FOLLOWS:**

Section 1.

Section 4.908 "Trinity Uptown ("TU") District" and Section 4.1201 "Trinity Uptown District" of Chapter 4, "District Regulations" of Ordinance No. 13896, the zoning ordinance of the City of Fort Worth, are hereby amended to replace all references to the "Downtown Design Review Board" with the "Urban Design Commission."

Section 2.

This ordinance shall be cumulative of all provision of ordinances and the Code of the City of Fort Worth, Texas (1986), as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

Section 3.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and, if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 4.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation exists shall constitute a separate offense.

Section 5.

All rights and remedies of the City of Fort Worth, Texas, are expressly saved as to any all violations of the provisions of Ordinance No. 13896 which have accrued at the time of the effective date of this ordinance and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.


Section 6.

The City Secretary of the City of Fort Worth, Texas, is hereby directed to publish the caption, penalty clause and effective date of this ordinance for two (2) days in the official newspaper of the City of Fort Worth, Texas, as authorized by Section 52.013, Texas Local Government Code.

Section 7.

This ordinance shall take effect upon adoption and publication as required by law.

APPROVED AS TO FORM AND LEGALITY:



Assistant City Attorney

ADOPTED: September 2, 2008

EFFECTIVE: September 11, 2008